

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA, )  
                               )  
Plaintiff,                 )  
                               )  
vs.                         )              Case No. 4:14 CR 00187 JAR/DDN  
                               )  
PAMELA TABATT, et al.,    )  
                               )  
Defendants.                )

**DEFENDANTS' JOINT MOTION TO EXTEND DEADLINE  
TO FILE ANY MOTION TO DISMISS INDICTMENT**

COME NOW Defendants, by and through their respective undersigned counsel, and hereby move the Court to extend the September 28, 2015 for ten days, to and including October 8, 2015. In support of their motion, Defendants state as follows:

1.       The Court set a deadline of September 28, 2015 for defendants to file any motion to dismiss the indictment. *See* Doc. 135. That Order stated that no further continuances of the deadline would be considered. Since the August 28, 2015 entry of that Order, however, there have been developments in this and the three related cases that cause undersigned counsel to present the instant motion to the Court.

2.       Since the extension to file any motion to dismiss was granted on August 28, 2015, lead CJA counsel in three of the four indictments are no longer involved in the preparation of motions to dismiss due to the fact that their clients have chosen to waive the filing of pre-trial motions.

3.       In order for remaining defense counsel to comply with the Court's order that any motion to dismiss be filed jointly by all defendants (*see* Doc. 137) and more time is necessary to coordinate such joint filings.

4. The undersigned are cognizant that the Court is reluctant to extend the deadline for filing any Motions to Dismiss. However, in light of the foregoing circumstances, the undersigned respectfully submit that an extension of this date would serve the interests of justice and judicial economy. This motion is not brought to occasion unnecessary delay and the extension it seeks is brief, particularly in the overall context of the case.

5. The Government does not oppose the extension of time requested by this motion.

6. The undersigned attorney, John M. Lynch, conferred with all other defense counsel of record in this case inviting them to join in this motion and he continues to receive consent to show their clients as co-movants.

7. Defendants therefore respectfully request that the Court enter its Order extending the deadline for Defendants to file any motion to dismiss by ten days, and grant Defendants to and including October 8, 2015 to file such motions.

WHEREFORE, for the foregoing reasons, Defendants jointly request that the Court grant their motion and enter its Order extending the time for which they may file any motion to dismiss for 10 days to October 8, 2015, and grant all such other and further relief this Court finds just and warranted under the circumstances.

Respectfully submitted,

THE LAW OFFICES OF  
JOHN M. LYNCH, LLC.

e/s John M. Lynch  
JOHN M. LYNCH #56604MO  
7777 Bonhomme Ave., Suite 1200  
Clayton, MO 63105  
(314) 726-9999  
(314) 726-9199 Facsimile  
**Attorney for Defendant Tabatt**

KAGAN LAW FIRM

e/s Lenny Kagan  
LENNY KAGAN  
7911 Forsyth Blvd., Suite 300  
Clayton, MO 63105  
(314)913-9000  
(314)863-5335  
**Attorney for Defendant Gross**

**Certificate of Service**

I hereby certify that on September 28, 2015, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

James Delworth  
Jennifer Winfield  
Assistant United States Attorneys  
Thomas F. Eagleton Courthouse, 20th Floor  
111 South Tenth Street  
St. Louis, Missouri 63101

e/s John M. Lynch